

# EXHIBIT 17

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

AHMED ELZEIN,

Plaintiff,

-vs-

Case No. 22-12352

Hon. Sean F. Cox

ASCENSION GENESYS HOSPITAL,

Defendant.

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DEPONENT: Ahmed Elzein

DATE: Friday, October 6, 2023

TIME: 10:00 a.m.

LOCATION: 38701 Seven Mile Road, Suite 130,  
Livonia, Michigan 48152

REPORTER: Quentina Rochelle Snowden, RPR,  
Certified Shorthand Reporter-5519  
and Notary Public

VIDEO TECH: Bailey Wellman

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1 Q What year did you start high school?  
2 A I can't remember off the top of my head. 2000 --  
3 I'm not sure, but around 2006.  
4 Q Okay.  
5 A Yeah.  
6 Q And I assume you went to high school in the United  
7 States, because there were better educational  
8 opportunities for you --  
9 A Yes.  
10 Q -- in the United States as opposed to Sudan?  
11 A Yes.  
12 Q And your father is a physician, correct?  
13 A Yes.  
14 Q Do you know when he started practicing medicine?  
15 A I know he graduated in 1980, but I'm not sure when  
16 exactly.  
17 Q Okay.  
18 A I wasn't born.  
19 Q So, I won't hold you to it. I know it was --  
20 A Yeah.  
21 Q -- before you were born --  
22 A Yeah.  
23 Q -- it sounds like --  
24 A Yeah.  
25 Q -- but he's been -- it's your understanding he's

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1 been practicing medicine since approximately 1980?  
2 A Yeah, since he graduated, I believe so, yeah.  
3 Q And that's your best understanding?  
4 A Yeah. Yeah.  
5 Q Okay. So, he practiced medicine well before your  
6 family and you came to the United States in 2003?  
7 A Yes.  
8 Q And then, when you came over here with your family  
9 in 2003, your father, I presume, began practicing  
10 medicine in the United States, correct?  
11 A Yes. Yeah.  
12 Q Okay. At some point, you went back to Sudan,  
13 correct?  
14 A Yeah.  
15 Q And let me clarify my question to you. I'm not  
16 saying when you went back to Sudan -- I don't just  
17 mean for, like, a quick week visit or, like, a day  
18 visit or a short-term visit.  
19 A Uh-huh.  
20 Q What I mean is, you went back to Sudan to actually  
21 live there, correct?  
22 A Yes.  
23 Q When did you go back to Sudan, approximately?  
24 A I went there end of 2009, 2010. Beginning of 2010.  
25 Q Why did you go back to Sudan?

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1 A I wanted to go back and experience my culture a  
2 little bit more and get a medical education. We  
3 have, like, very good universities out there, so I  
4 thought I'd go down there for going to school.  
5 Q So, if I heard you correctly -- and let me break  
6 that down.  
7 A Yeah.  
8 Q I think there were a few reasons in there, please  
9 correct me if I misstate any of them.  
10 A Yes.  
11 Q You went back to Sudan become -- to become  
12 culturally emersed in your native homeland, number  
13 one?  
14 A Yep. Yes.  
15 Q And then, number two, you went back there to attend  
16 medical school?  
17 A Yes.  
18 Q Did you apply to any medical schools in the United  
19 States?  
20 A No.  
21 Q Why not?  
22 A I was set up, in my mind, to go to medical school in  
23 Sudan. It's shorter, takes less time, and that's --  
24 I made up my mind that I was going to go down there.  
25 Q Okay. Now, it's terribly unfortunate -- I

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1 understand the world, in my view, is not fair, but,  
2 you would agree with me that the healthcare system  
3 in the United States is superior to the healthcare  
4 system in Sudan?  
5 A Correct.  
6 Q And we can ascribe that to a variety of reasons,  
7 but, chief among them probably being socioeconomic  
8 disparities with the United States being a first  
9 world country and Sudan being somewhat below that?  
10 MR. LASSER: It's getting a little  
11 overbroad beyond the scope of the case.  
12 MR. WASLAWSKI: It's a discovery  
13 deposition, Counsel.  
14 MR. LASSER: Understood.  
15 Understood.  
16 MR. WASLAWSKI: It's proportional to  
17 the needs of the case and, you know, your objection  
18 is noted for the record.  
19 BY MR. WASLAWSKI:  
20 Q You can answer.  
21 A Yes.  
22 Q After you finished medical school, you came back to  
23 the United States, correct?  
24 A Yes.  
25 Q When did you come back to the United States?

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1 A 2016.  
2 Q And correct me if I'm wrong, but you began your  
3 residency at Ascension Genesys in the summer of  
4 2020; is that correct?  
5 A Yes.  
6 Q So, what did you do in the United States between the  
7 years of 2016 and 2020, generally speaking?  
8 A I was doing clinical externships and studying for my  
9 licensing exams to -- to match.  
10 Q What's your current address?  
11 A My current address is 300 M Street Northeast,  
12 Washington DC.  
13 Q And is that where you're attending residency?  
14 A Yeah.  
15 Q Could you spell the name of your street for the  
16 record?  
17 A M Street, 300 M Street.  
18 Q M, as in man?  
19 A Letter is M, yeah.  
20 Q You previously lived at 4558 Guildford Drive, West  
21 Chester, Ohio, ZIP code 45069; is that accurate?  
22 A Yes.  
23 Q When did you stop living there?  
24 A Around June.  
25 Q Of this year?

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1 A Yeah.  
2 Q So, June of 2023?  
3 A Yes.  
4 Q Did you own that residence?  
5 A Yes.  
6 Q Did you live there with anyone else?  
7 A Yeah.  
8 Q Who did you live there with?  
9 A My mom and two sisters.  
10 Q I'm so sorry, I didn't hear you. Did you say one or  
11 two?  
12 A Two sisters.  
13 Q What is your mother's name?  
14 A Nagwa.  
15 Q Could you spell that for the record, please?  
16 A N-A-G-W-A.  
17 Q And what are the names of your sisters?  
18 A Safa and Randa.  
19 Q Could you spell their names for the record, please?  
20 A S-A-F-A and R-A-N-D-A.  
21 Q Who is Randa Elzein?  
22 A That's my sister.  
23 Q Who is Mohammed Elzein?  
24 A That's my brother.  
25 Q Did he live there too?

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1 A He comes and goes. He -- he travels and comes back,  
2 so --  
3 Q Did your father live there with your family?  
4 A Yeah, he's also -- yeah. Yep.  
5 Q Correct me if I'm wrong, but you were a resident at  
6 Ascension Genesys for parts of 2020 through parts of  
7 2021; is that correct?  
8 A Yep. 2020. I'm not sure about 2021.  
9 Q I'm sorry, you said you're not sure about 2021?  
10 A Yeah, 2020.  
11 Q Okay.  
12 A Yeah.  
13 Q And it's my understanding, per some of the  
14 information that your counsel provided on your  
15 behalf in discovery of this lawsuit, that at all  
16 times while you were a resident at Ascension  
17 Genesys, you lived at 7106 Cedar Bend Drive, Grand  
18 Blanc, Michigan, ZIP code 48439; is that correct?  
19 A Yes.  
20 Q And you lived continuously at the Cedar Bend address  
21 at all times from approximately July 2020 through  
22 July 2021; is that accurate?  
23 A Yes.  
24 Q Just to be clear, you were not living at any other  
25 address during the time period of July 2020 through

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1 July 2021, correct?  
2 A I mean, I traveled here and there, but I was living  
3 -- that was my primary residence.  
4 Q Okay. What is your father's full legal name?  
5 A Fatehi.  
6 Q Could you spell that for the record, please?  
7 A F-A-T-E-H-I.  
8 Q And he has the same last name as you?  
9 A Yes.  
10 Q What is your father's residential address?  
11 A His residential address is 4558 Guildford Drive.  
12 Q Okay. The address we just spoke about a moment ago?  
13 A Yeah, but he comes and sees me in DC and goes back,  
14 so --  
15 Q Sure. He travels, he may visit you in DC --  
16 A Yeah.  
17 Q -- in your current residency program, but, the place  
18 where he lives is the Guildford Drive address in  
19 West Chester, Ohio, correct?  
20 A Yep. Yep.  
21 Q Okay. Who is your father's employer?  
22 A He's not employed right now.  
23 Q Is he retired?  
24 A I believe so. I'm not sure.  
25 Q Let me say this differently. Does he practice

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<p style="text-align: right;">Page 22</p> <p>1 medicine currently?</p> <p>2 <b>A No.</b></p> <p>3 Q What is your father's cellphone number?</p> <p>4 <b>A I got to pull -- (513) 441-4397.</b></p> <p>5 Q Okay. And I think I may have asked you this, I'm</p> <p>6 sorry if we're rehashing this, but, you attended</p> <p>7 medical school at the University of Khartoum in</p> <p>8 Sudan, correct?</p> <p>9 <b>A Yes.</b></p> <p>10 Q And you attended medical school there from</p> <p>11 approximately 2009 through 2016, correct?</p> <p>12 <b>A Yes.</b></p> <p>13 Q And you graduated from the University of Khartoum,</p> <p>14 correct?</p> <p>15 <b>A Yes. Yes.</b></p> <p>16 Q And you graduated in 2016, of course?</p> <p>17 <b>A Yeah.</b></p> <p>18 Q What degree or degrees did you receive in connection</p> <p>19 with your graduation?</p> <p>20 <b>A It's called, like, an MBBS, which is equivalent to,</b></p> <p>21 <b>like, an MD in the United States.</b></p> <p>22 Q Aside from the current lawsuit that you filed</p> <p>23 against Ascension Genesys, have you ever filed any</p> <p>24 other lawsuits while living in the United States?</p> <p>25 <b>A No.</b></p>	<p style="text-align: right;">Page 24</p> <p>1 okay?</p> <p>2 <b>A Okay. (Reviewing.) Okay.</b></p> <p>3 Q You reviewed the document in its entirety?</p> <p>4 <b>A Yep.</b></p> <p>5 Q You've seen this document before, correct?</p> <p>6 <b>A I did.</b></p> <p>7 Q In fact, if we look at the bottom left corner of the</p> <p>8 first page and the bottom left corner of the second</p> <p>9 page, you digitally signed this document, under</p> <p>10 penalty of perjury, on May 12th, 2021 at 12:07 p.m.</p> <p>11 Eastern time, correct?</p> <p>12 <b>A Yes.</b></p> <p>13 Q You carefully reviewed this document before you</p> <p>14 digitally signed it under penalty of perjury on</p> <p>15 May 12th, 2021, correct?</p> <p>16 <b>A Yep.</b></p> <p>17 Q And when you signed the charge under penalty of</p> <p>18 perjury, you believed the information in it was</p> <p>19 accurate, correct?</p> <p>20 <b>A Yep.</b></p> <p>21 Q So, do you see, Dr. Elzein, on -- it starts on the</p> <p>22 first page. There's a section that says "The</p> <p>23 particulars are" and then there's a description of</p> <p>24 the allegations that continues on to the second</p> <p>25 page. Do you see the section I'm referring to?</p>
<p style="text-align: right;">Page 23</p> <p>1 Q Have you ever been subpoenaed as a witness in any</p> <p>2 other lawsuits?</p> <p>3 <b>A No.</b></p> <p>4 Q Have you ever been -- have you ever testified in a</p> <p>5 court proceeding in any other lawsuits?</p> <p>6 <b>A No.</b></p> <p>7 Q Have you ever been arrested?</p> <p>8 <b>A No.</b></p> <p>9 Q Have you ever been charged with a crime?</p> <p>10 <b>A No.</b></p> <p>11 Q Have you ever filed a claim for Social Security</p> <p>12 Disability benefits?</p> <p>13 <b>A No.</b></p> <p>14 MR. WASLAWSKI: Please mark this as</p> <p>15 Exhibit 2. Counsel.</p> <p>16 (Deposition Exhibit No. 2 was marked</p> <p>17 for identification.)</p> <p>18 BY MR. WASLAWSKI:</p> <p>19 Q Counsel -- or excuse me, Dr. Elzein, I'd like to --</p> <p>20 you to take a look at what's been marked as</p> <p>21 Exhibit 2 in this matter.</p> <p>22 <b>A Uh-huh.</b></p> <p>23 Q Please take a look -- sorry. Please take a moment</p> <p>24 to review the document, and let me know when you've</p> <p>25 finished reviewing the document in its entirety,</p>	<p style="text-align: right;">Page 25</p> <p>1 <b>A Yeah.</b></p> <p>2 Q Who wrote that?</p> <p>3 <b>A The EEOC representative.</b></p> <p>4 Q Based on all of the information that you conveyed to</p> <p>5 the EEOC representative, correct?</p> <p>6 <b>A Through a phone call, yeah.</b></p> <p>7 Q So, if you look at the first page of Exhibit 2, Dr.</p> <p>8 Elzein, if you look at the middle of the page,</p> <p>9 there's a box that says "Dates on which the</p> <p>10 discrimination took place". Do you see that section</p> <p>11 of Exhibit 2, Dr. Elzein? It's in the middle of the</p> <p>12 page to the -- right side of the page.</p> <p>13 <b>A This one right here?</b></p> <p>14 MR. WASLAWSKI: You're -- let the</p> <p>15 record reflect that Dr. Elzein is pointing to a box</p> <p>16 that says "Earliest: July 1st, 2020. Latest:</p> <p>17 December 14th, 2020."</p> <p>18 BY MR. WASLAWSKI:</p> <p>19 Q Yes, Dr. Elzein, that's what I'm referring to.</p> <p>20 <b>A (Shook head in an affirmative manner.)</b></p> <p>21 Q So, the charge expressly states that it takes action</p> <p>22 with discriminatory conduct that allegedly occurred</p> <p>23 during the time periods of July 1st, 2020 through</p> <p>24 December 14th, 2020, correct?</p> <p>25 <b>A Yep.</b></p>

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<p style="text-align: right;">Page 242</p> <p>1 Q You don't have access to -- do you know what an HRIS 2 system is? 3 <b>A No.</b> 4 Q Okay. You clearly -- you don't even know what an 5 HRIS system is. 6 You don't have access to Ms. 7 Daugherty's HRIS system, do you? 8 <b>A No.</b> 9 Q Do you have any record -- do you have any access to 10 Ascension Genesys's HR records? 11 <b>A No.</b> 12 Q In fact, you weren't authorized to have any access, 13 were you? 14 <b>A No, yeah.</b> 15 Q Okay. So, you're completely speculating that there 16 was no investigation into the complaint you made to 17 Ms. Daugherty, isn't that true? 18 <b>A My -- my counsel asked the -- the -- the counsel</b> 19 <b>representing Genesys are there going to be any</b> 20 <b>safeguards that this doesn't happen again, and she</b> 21 <b>said -- she never -- she said, "We just need a</b> 22 <b>video. Just give us the video."</b> 23 <b>She -- I felt very dismissed, and</b> 24 <b>there was nothing --</b> 25 MR. WASLAWSKI: Motion to strike as</p>	<p style="text-align: right;">Page 244</p> <p>1 Q You have no idea what Marney Daugherty did or didn't 2 do in response to the complaint you made to her on 3 November 30th, 2020; is that true? 4 <b>A Yes.</b> 5 Q So, I'm handing you, Dr. Elzein, what was previously 6 marked as Exhibit 3. 7 <b>A Uh-huh.</b> 8 Q And we talked about this letter earlier, right? 9 <b>A Uh-huh.</b> 10 Q Yes or no? 11 <b>A This document?</b> 12 Q Yes, Exhibit 3. We talked about this -- this is a 13 letter dated April 28th, 2021, correct? 14 <b>A On the first -- yeah.</b> 15 Q See the first page? This one. Yeah, Exhibit 3. 16 It's in your hand. 17 So, it's your understanding, as you 18 sit here today, that the April 28th, 2021 letter was 19 a followup letter to the April 5th, 2021 letter -- 20 <b>A Yes.</b> 21 Q -- right? 22 So, take a minute, if you need, to 23 review Exhibit 3. But essentially, in a nutshell, 24 if we had to summarize it succinctly, this letter is 25 basically saying hey, look, we never heard back from</p>
<p style="text-align: right;">Page 243</p> <p>1 non-responsive. Can you read my question back, 2 please? 3 THE COURT REPORTER: I'm going to 4 have to play it back, there's something wrong -- 5 MR. WASLAWSKI: Go ahead. 6 THE COURT REPORTER: -- in the 7 system. Give me one moment. 8 MR. WASLAWSKI: Well, we can move 9 on. We can move on, actually. 10 THE COURT REPORTER: Can -- can we 11 actually go off for a second? I need to figure out 12 what's going on. 13 MR. WASLAWSKI: Let's go off the 14 record, yeah. 15 THE COURT REPORTER: Sorry. 16 VIDEO TECHNICIAN: Off the record at 17 3:27 p.m. 18 (Off the record at 3:27 p.m.) 19 (Back on the record at 3:37 p.m.) 20 VIDEO TECHNICIAN: We are back on 21 the record at 3:37 p.m. 22 BY MR. WASLAWSKI: 23 Q Okay. I'd like to move on from our last subject, 24 Dr. Elzein. I just want to clarify one thing. 25 <b>A Uh-huh.</b></p>	<p style="text-align: right;">Page 245</p> <p>1 you in regards to our letter from April 8th, 2021. 2 We informed you that we were not going to renew your 3 contract unless you responded within 14 days, 4 because you haven't provided a return to work 5 certification. And therefore, June 30th, 2021 will 6 be your last day; is that accurate? 7 <b>A Yes.</b> 8 Q Did you respond to this letter? 9 <b>A No.</b> 10 Q I'm sorry? 11 <b>A I did not respond.</b> 12 Q Okay. So, your last day, pursuant to this letter 13 and in accordance with your residency training 14 agreement, was June 30th, 2021, accurate? 15 <b>A Yes, according to the letter.</b> 16 Q So, let me -- I'm going to ask you about the claims 17 you've made in this lawsuit. The way I understand 18 it is that you have five claims. 19 <b>A Uh-huh.</b> 20 Q Number one, you were discriminated against based on 21 a perceived disability; is that correct? 22 <b>A Correct.</b> 23 Q And that arises out of the November 11th, 2020 24 admission to the emergency room that you contend was 25 against your will, correct?</p>